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SUNDAY
JANUARY 20, 1957

THE JERUSALEM POST

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MARGINAL COLUMN

MR. Ben-Gurion touched on the essence of the problem of the Afro-Asian bloc when he explained their course of action at the U.N. by the fact that they looked on world problems from a racist point of view. He deepened this traditional distrust of the white race so that it blinds the newly emancipated coloured peoples to reason and their own best interests at this stage of their development in international affairs. Because of the suspicion and over-sensitivity of the Afro-Asians to the Western or white world they incline to judge it more by the attitude it adopts to coloured citizens at home than by policies it enunciate for abroad. This is why the massive aid given by the U.S. since World War II to underprivileged Asian and African countries has made very little impression and that little has been often destroyed by some highly publicized anti-Negro incident in the American south. Because of the over-sensitivity to the difficult situation towards full civic equality for her coloured citizens, (This trend is amply documented in the recent Progress Commission drawn up by David Lott and Harold Fleming and published in New York recently by the Fund for the Republic). Nor are the Afro-Asians ready to understand that the very move towards making the U.S. negro an equal citizen de facto as well as de jure will, for a violent reaction expressing itself in outbreaks which hit the headlines, perpetrated by a fanatical and irreconcilable minority.

Two Leaders Of Budapest Revolt Are Executed

VIENNA, Saturday. — Two of the chief organizers of the October uprising in Budapest have been executed today, Budapest Radio reported. According to the radio, Josef Dudas and Janos Szabo had been sentenced to death by a Hungarian military court. After their trial for mercy had been turned down, they were executed today. The radio also reported that the Interior Ministry had banned all future activity of the Journalists Association. It was declared that the association had violated its statutes.

UK Revives Plea For Immigration Curb

By GEORGE LICHTHEIM, Jerusalem Post Correspondent
LONDON, Saturday. — A hint that Whitehall is contemplating a settlement involving some limitation on immigration into Israel is contained in an inspired comment in "The Times" on yesterday's conversation between the Israeli Ambassador, Mr. Eilath, and the Foreign Office Permanent Under-Secretary, Mr. Ivone Kirkpatrick. While noting that Britain and Israel are substantially in agreement on the need to ensure free navigation through the Suez Canal and on the future administration of Gaza and the Gulf of Elat, the paper's diplomatic correspondent suggests that there is a point in the speech yesterday by Commander Allan Noble, the Minister of State for Foreign Affairs, which "will not be so welcome to Israel: the mention that any settlement must move Arab fears of possible Israeli expansion. This appears to point to support for some ultimate international guarantee of the frontiers of Israel's neighbours and to a limitation of future immigration into Israel." The passage, not surprisingly, caught the attention of diplomatic circles here today, the more so since the subject was ignored in yesterday's B.B.C. summary of the U.N. Assembly debate, which instead gave weight to Britain's qualified support of the Afro-Asian resolution calling for Israel's withdrawal from Egyptian territory. B.B.C. news bulletins are now very much part of the propaganda war waged by Whitehall to counter Egyptian influence in the Middle East, and their editing reflects current official policy down to minor details. The elaborate stop-peddling of British moves at the U.N. to ensure international control of Suez and the Gulf of Elat is thus natural. But today's "Times" comment raises a new point which

3 Arab States Pledge to Pay Jordan Subsidy

CAIRO, Saturday (Reuters). — Arab leaders today signed an agreement providing LE12.5m. for Jordan to replace the British annual subsidy of £2m. The agreement was signed by Abdul Nasser of Egypt, King Hussein of Jordan and Premier Sabri Assal of Syria. They met for two hours today at the Kusba Palace on the second day of their talks. The agreement will stand for 10 years and be renewed automatically unless one of the signatories denounces it one year prior to expiry. Egypt and Saudi Arabia will pay LE5m. each and Syria LE2.5m. A statement issued after a meeting last night said the three leaders also discussed the Eisenhower doctrine, the Suez Canal, the Anglo-French-Israeli attack on Egypt, and the strengthening of ties among the four countries. A statement issued after a meeting last night said the three leaders also discussed the Eisenhower doctrine, the Suez Canal, the Anglo-French-Israeli attack on Egypt, and the strengthening of ties among the four countries. A statement issued after a meeting last night said the three leaders also discussed the Eisenhower doctrine, the Suez Canal, the Anglo-French-Israeli attack on Egypt, and the strengthening of ties among the four countries.

U.N. Assembly Passes Asian 'Five-Day' Resolution, 74-2

B-G: Sharm e-Sheikh Must Be Secure for Israel

Jerusalem Post Reporter
GIVAT HAIM, Saturday. — "If freedom of passage through the Gulf of Elat is not adequately guaranteed, we will make our own guarantees," Prime Minister Ben-Gurion declared in a fighting speech to the Central Council of Iud Hakvutot vallahibbutim, here last night. Speaking with dynamic energy, he urged the 250 delegates of 30 kibbutzim, representing 30,000 members, to build a chain of outposts along the pipeline from Elat to Beerseba, which "can render the Suez Canal superfluous." "None of our projects will assume reality unless they are guarded by the settlement in the deep south," the Premier said, sternly upbraiding the younger generation. He urged the rich Jordan kibbutzim to send strong reinforcements to such places as Yotvata and Mitzpe Ramon. On the previous day he visited Elat. "I was told they bring their vegetables from Tel Aviv, he said, adding that Elat cannot expand if it remains dependent on supplies from the North. He reminded the Iud that Yotvata, "a little oasis," could provide the port with milk eggs and fruit. "Why don't you families leave Afikim for Yotvata?" he demanded. Yet another oasis, Ein Yahav, is desolate, he pointed out. "Why can't Degania build it up?" Summing up the events which had made the Sinai Campaign imperative, the Premier revealed that, according to

France Votes with Israel

UNITED NATIONS, Saturday (Reuters). — The General Assembly today approved by 74-2 votes, with two abstentions, the Afro-Asian resolution calling for a complete Israeli withdrawal from Egypt in five days, and requesting the Secretary-General, Mr. Dag Hammarskjold, to report back to the Assembly at the end of this period. The resolution also noted with "regret and concern" Israel's failure to comply with previous resolutions calling for a prompt and complete withdrawal by Israel. Only Israel and France voted against the resolution, while Cuba and Costa Rica abstained. Hungary and South Africa were absent. The vote came after a debate of two and a half hours which ended with Mr. Abba Eban of Israel reiterating that Israel's withdrawal from the Gaza Strip and the Gulf of Akaba should be "accompanied by related measures to prevent re-escalation of conflict by land or sea." He said that if Gaza and the Akaba Gulf had already been evacuated without simultaneous and related measures, "we should be prepared to accept a renewal of conflict." UNEF Barrier He said the U.N. Emergency Force should move into these two areas when they were evacuated by Israel and thus create a barrier between the two conflicting areas. The resolution was adopted after a three-day debate showed a mounting trend among the Afro-Asian bloc and in favour of giving Israel assurances on freedom of transit in the Gulf of Akaba, and of curbing Egyptian belligerence in the Gaza Strip. Canada, having taken the lead on Friday in demanding some real guarantee to Israel, and Britain having indicated that, like the U.S., she also wants to prevent recurring explosions, the anticipated large vote for the resolution was not really an indictment of Israel. Instead the entire Afro-Asian move seems likely to result in a virtual mandate to Secretary-General Hammarskjold to produce within the shortest time a plan for overall settlement of the issues, and especially of the Gulf of Akaba and the Gaza Strip. A feature of the debate was a seven-point New Zealand plan — backed by the Netherlands — for maintaining peace in the Middle East. It urged that: U.N. Must Decide UNEF's task be decided only by the U.N. and not by Egypt or any other state; UNEF should be maintained as a U.N. matter; UNEF should stay in the area until the Suez and Akaba issues are settled and "some positive overall settlement; a demilitarized zone be created between Israel and Egypt with U.N.T.S.O. responsibilities being shifted to UNEF; measures be taken to ensure against use of the Gaza Strip for raids on Israel and to bring the area under U.N. supervision; freedom of passage be secured for all shipping, including Israeli; early recommendations be made by the U.N. to bring about a general settlement. Israel would be willing to see the Secretary-General renew his efforts, but doubted whether a report in five days could offer "final clarification," Mr. Eban told the Assembly. The Israel delegate criticized the paragraph of the Afro-Asian group resolution noting with regret and concern "the failure of Israel" to comply with the Assembly's withdrawal resolutions, and said Israel could not vote for a resolution of which that paragraph was a part. There were no states in the world which could surpass the Arab states in their violation of Security Council resolutions, Mr. Eban said. Mr. Eban referred to the Security Council resolution of September 1, 1953, requiring Egypt to allow Israel shipping passage through the Suez Canal and declared that this resolution had remained unimplemented for 1,500 days. If it had been implemented,

THE foundations of the Afro-Asian bloc were laid long before the comparatively recent Bandung Conference. The world-wide organization of the Negro peoples to claim their rights goes back to before World War I. The difference at Bandung was enough. Afro-Asian nations had achieved membership of the U.N. to make their group a force to be reckoned with, holding as it does the balance of power in the Assembly voting. The first Race Congress was held in London in 1911 to consult on the world of the future which would be without race prejudice. This conference was started by an address by one Felix von Luschan, famous Berlin anthropologist, who expounded the theory of racial inferiority, nevertheless asserted that "nations will come and go, but national and racial antagonisms remain." The Afro-Asians tried again at the Peace Conference which followed World War I. At that time one of their claims was for an internationalized Africa and for the Peace Conference to consider "the wishes of intelligent Negroes of the U.S., South Africa, the West Indies, the Negro governments of Abyssinia, Liberia and Haiti, the educated Negroes of French West Africa and Equatorial Africa, and the British Uganda, Nigeria, Bechuanaland, Swaziland, Sierra Leone, the Gold Coast, Gambia and Bechuanaland, and in the Union of South Africa." But at this time there was no co-operation as yet between Africa and Asia because Japan was pursuing a sectional interest. The war in Asia and the war in Africa were to be recognized as the equal of the white European nations. China had only just started on her new path and Asia was confined to her own struggle against British rule. World War II saw Japan arouse Asia against the West and it was from the West that Burma, India and the states of French Indo-China were subsequently to win their independence. It was thus natural that when, in the aftermath of the War, the world was split into two hostile blocs, the Afro-Asians should have felt drawn towards that which was also anti-Western.

USSR, China Pledge Full French Support To Protect M-E For Israel's Stand

MOSCOW, Saturday (Reuters). — China and the Soviet Union last night pledged their support to Middle East peace, and to Israel's stand in the area as a result of the Eisenhower Doctrine. A joint declaration published here prior to the departure of Premier Chou En-lai for Peking by air after his European tour, said the Soviet Union and China "call for full indemnification of Egypt by Britain, France and Israel for damage caused by their aggressive action." The six-point declaration said both countries opposed any attempt to place the Suez Canal under "international control." Free navigation through the Canal must be settled by negotiation between interested countries on the basis of complete respect for Egyptian sovereignty. The declaration spoke of the Anglo-French-Israeli "détente" over Egypt and "renewed aggression" by Israel against Egypt. The declaration called on "all the peace-loving forces in the world to rally and unite their efforts in a resolute struggle to ensure that any machinations of the imperialist aggressive circles would be exploded for certain." The declaration said that after exchanging opinions on a wide range of subjects, the two delegations arrived at a "complete unity of views" on all aspects of the international situation and on important world problems. The declaration said that the two delegations of Egypt and Hungary had triumphed over the attempts of the aggressors had failed but "the aggressive imperialist powers did not reconcile themselves to this situation. In the face of the aggressive policy of the imperialist camp led by the U.S. it is necessary for the socialist and peace-loving forces to be vigilant and strengthen their unity," the declaration concluded.

U.K. Denies Attack On Yemen Town

LONDON, Saturday (Reuters). — A Foreign Office spokesman today described as "a complete fabrication and totally untrue" an earlier Egyptian Legation statement that British forces and planes were besieging and attacking Harib, a town in the Yemen near the Aden Protectorate frontier. A similar charge by the Yemeni Government was also denied today by the Foreign Office. The spokesman pointed out that the British Government had formally announced on Thursday its readiness to hold talks with the Yemeni Government to provide "Yemeni forces and tribesmen who have recently occupied certain points well inside Aden Protectorate territory" were to be withdrawn and attacking Harib, a town in the Yemen near the Aden Protectorate frontier. A similar charge by the Yemeni Government was also denied today by the Foreign Office. The spokesman pointed out that the British Government had formally announced on Thursday its readiness to hold talks with the Yemeni Government to provide "Yemeni forces and tribesmen who have recently occupied certain points well inside Aden Protectorate territory" were to be withdrawn and attacking Harib, a town in the Yemen near the Aden Protectorate frontier.

Dayan, Burns Air Eban: Israel Would 'Technical Details' Shoot Back in Gulf

Jerusalem Post Reporter
LYDDA AIRPORT, Saturday. — Israel forces will withdraw behind the old international frontier by Tuesday, except for Sharm e-Sheikh and a strip on the west coast of the Gulf of Akaba, Major-General E.L.M. Burns, UNEF Commander, told reporters after a 40-minute conference with the Chief of Staff, Rav-Aluf Moshe Dayan, here yesterday. "Technical details" of this withdrawal were discussed at the meeting, which was called at short notice and started at 10 a.m. A few minutes earlier, the U.N. aircraft arrived from Jerusalem, where Major-General Burns had discussed with UNRWA officials the supply of food for refugees at El Arian. The UNEF Commander, in a blue U.N. uniform and beige duty coat, and his Operational Officer, Khaki-clad Colonel C. Moe, were met at the airport by senior Israel officers. Rav-Aluf Dayan, Sgan-Aluf Mordechai Bar-On, Sgan-Aluf El Zeira and Major G. Auzan, U.N.E.F. Liaison Officer with the Israel Defence Force, joined the group for the discussion, held at the Airport Hotel. "Sorry — No News" "I am sorry but I have no news for you today," Major-General Burns told newsmen after the meeting. Only technical details of the withdrawal had been agreed, he said. The withdrawal would be completed by Tuesday, as Israel had earlier announced. In reply to a question, the UNEF Commander said that he had no information about headquarters at El Arian. He would give no information about Egyptian military forces in Sinai. Rav-Aluf Dayan saw Major-General Burns to the U.N. aircraft, where they shook hands. Rav-Aluf Dayan made no statement to the press. Today's talks were probably the last between the two commanders before the final withdrawal of Israeli forces from the Sinai Peninsula except for Sharm e-Sheikh and the Gulf of Akaba strip. Israel forces at present hold positions about half way between Rafah, on the international border, and El Arian, the Sinai capital.

Eban: Israel Would Shoot Back in Gulf

UNITED NATIONS, Saturday (UNA). — Israel's Red Sea Navy now based at the Akaba Gulf will shoot back at Egyptian ships if Egypt should try to shoot at Israel shipping in the Straits of Tiran or the Gulf of Akaba, according to Mr. Abba Eban, Chairman of Israel's U.N. delegation. He made the statement on the U.N. radio programme "On the Record" broadcast yesterday over the Columbia Broadcasting System, and which was transmitted over the Canadian network. Eban said that the U.N. guarantee Israel against Egyptian gun positions on the shores overlooking the Gulf. "If Egypt were to shoot at Israel shipping there would inevitably be a response." He implied that the way to solve the "complex problem" of the Gaza Strip would be by coordinating the withdrawal of Israel troops with the establishment of UNEF along the Gaza Strip, and providing for the continuance of the civil administration and social service which Israel has already established in the area.

Poland Goes To Polls Today

WARSAW, Saturday (Reuters). — Polish citizens go to the polls tomorrow faced with an appeal from the United Workers (Communist) Party. "Do not cross any names off your ballot papers," the party appeal said. The party and Government candidates are going to be crossed off wholesale during the secret balloting. United Workers Party candidates are on the top of the ballots. An untouchable card in a constituency where there are eight candidates for six seats would be a vote for the top six names — the ones most favoured by the Communist-dominated National Union Front. The Communist Party leader, Mr. Wladyslaw Gomułka, whose "democratization" policy is about to be tested, wants to keep in the Sejm (Parliament) the 51 per cent majority his party has among the 221 candidates in the field. A big increase in the strength of the Democrats and Peasants — the two minority parties who make up the front — the major advance by the 114 non-party candidates (including 22 Catholics) would be a great reverse for the United Workers Party. The political situation is complicated by serious economic problems, a dangerous coal situation, a low standard of living, high prices and the knowledge that the necessary rise in wages cannot come until both workers and peasants produce more. (See story on Page 4)

Japanese Socialists Want Israel Ousted

TOKYO, Saturday. — Japanese Socialists at a three-day convention which ended in Tokyo today urged the expulsion of the French and Israeli parties from the Socialist International and the Asian Socialist Conference. The convention criticized French Socialists for supporting the "French Government's repressive policy against Algerians" and accused the Mafai Party of complicity in Israel's invasion of Egypt. It also called for the conclusion of an early peace treaty with China and urged that the treaty with the Nationalist regime in Formosa be scrapped. FRANCE RETURNS 72 EGYPTIAN POW'S CAIRO, Saturday (UPI). — Seventy-two Egyptian Navy prisoners of war returned home yesterday from Djibouti, French Somaliland, where they were interned after the British sank their frigate Dumyat south of Suez, UNEF aircraft flew the sailors back to Egypt.

No Israel Troops On Jordan Border

NEW YORK, Saturday (Reuters). — U.N. observers have seen no Israeli troop concentrations on the Jordan border, Mr. Dag Hammarskjold, the Secretary-General, reported today. The announcement said that the Acting Chief of Staff of the U.N. Truce Supervision Organization had reported that both Israel and Jordan were adhering to the provisions of the Armistice Agreement concerning the limitation of forces in the defensive areas concerned.

TITO'S U.S. VISIT FIXED FOR APRIL

WASHINGTON, Saturday (Reuters). — The U.S. and Yugoslav leaders that President Tito should visit America in late April, according to diplomatic informants here yesterday. Mr. Lloyd also explained that he would visit the White House as guest of President Eisenhower and then tour the U.S. for about two weeks.

Lloyd Ends Talks In Italian Capital

ROME, Saturday (UPI). — The British Foreign Secretary, Mr. Selwyn Lloyd, left here for home today at the end of a three-day visit in which he promised closer British association with the Communist threat in the Middle East with Italian leaders. Mr. Lloyd also explained that he would visit the White House as guest of President Eisenhower and then tour the U.S. for about two weeks.

Sandys Going to U.S. For Defence Talks

LONDON, Saturday (UPI). — Britain's new Defence Minister, Mr. Duncan Sandys, flies to the U.S. next week to brief American officials on drastic cuts in Britain's military services, it was learned today. Informed sources said these cuts, already foreshadowed by slashes on reservist spending and aircraft orders, will eventually total \$500m. annually.

NEHRU, KUWATLY CONTINUE TALKS

NEW DELHI, Saturday (Reuters). — Premier Nehru and President Shukri Kuwattly of Syria today resumed talks on Middle East problems. The President ends a two-day visit to New Delhi today and will then tour Indian development projects.

MISSING Henry J Car

Light grey, license plate No. 7983 Tav, engine No. 3089192. Please forward information to Tel. 66789, HAIFA

ISRAEL AND MIDDLE EAST

With deep sorrow we announce the death of our husband, father, brother-in-law and uncle
MAX FELIX
The funeral cortege will leave the home of the deceased at 124 Rehov Ahad Ha'am, Tel Aviv, today, Sunday, January 20, 1957, at 11.30 a.m. for the Old Cemetery in Rehov Trumpeldor.

Eight Years Of Arab Aggression

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Social & Personal

The President on Friday received Mr. Mark Borison of Boston, representing the Peoples to Peoples Committee.

Chief Rabbi Yitzhak Nisim on Friday toured the southern religious kibbutzim of Ein Tzurim, Sa'ad, Kfar Darom and Yavne. He was accompanied by Rabbi A. Goldschmidt, President of the Tel Aviv Religious Court; Mr. M. Unna, Deputy Minister of Education; and Mr. G. Staub, of the Kibbutz Hadati Executive.

The outgoing Canadian Ambassador and Mrs. Terence W.L. MacDermott were guests of the Israel-British Commonwealth Association at a reception in Tel Aviv last Thursday. Among those present were the French Ambassador, M. Pierre Gilibert, the British Ambassador, Sir John Nicolls; the Brazilian Minister and Mrs. N. Tabajara de Oliveira; the Australian Minister, Mr. B. C. Ballard; the Canadian Charge d'Affaires and Mrs. George Kidd; Mrs. Rebecca D. Sief, and Mr. and Mrs. S. Tolowsky.

Mr. Lesing Rosenwald, Chairman of the Board of the American Council for Judaism, on Friday visited the Jewish Museum, where he was received by the District Representative, Mr. T. Vardimon, and Mrs. Hava Fishman, the local sculptress, who comes from Mr. Rosenwald's home town, Philadelphia.

The Canadian Commercial Attaché, Mr. Alexander B. Brodie, last week visited the Jerusalem Chamber of Commerce, where he was received by its President, Mr. M. Eliezer.

Mr. Samuel Risk has arrived from Montreal to take up his duties as Assistant Director of the Department of Organization and Information at the Hebrew University. He will serve in this capacity for the next two years, during which period the Canadian Friends of the Hebrew University, of which he is National Director, or have "loaned" him to headquarters in Jerusalem.

The Dante Alighieri Society is sponsoring a lecture to be held tonight at 8.30 at the Israel Touring Club by Dr. Sergio Frate on Classicism and Romanticism in the Poetry of Giosue Carducci. Two artistic films will be shown afterwards.

Brothers and Sisters of the East Brith Order in Israel are hereby reminded that the national meeting will be held on Thursday at 9 p.m. in the Parnat Aviv Hotel. Particulars obtainable at the Presidents of the Lodges.

MEMORIAL SERVICE

A memorial service on the 30th day after the death of Edith Franklin will be held at the Rina Nikova Studio, 38 Rehov Unshkin, Jerusalem, at 6 p.m. tomorrow. Friends are requested to attend.

DISABLED TRAWLER TOWED TO SAFETY

HAIFA, Saturday. — The trawler Palmahit, which ran into trouble in a heavy sea off the southern part of the Mediterranean coast yesterday evening, was towed to Haifa by a second trawler, the Carmel, which picked up a call for aid broadcast by coastguard stations.

The Palmahit had appealed for aid to the Haifa station after her engines failed.

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LAW REPORT

The Jerusalem Post
January 20, 1957

In the Supreme Court Sitting as Court of Criminal Appeals

Before the President (Justice Olshan), Justices Sussman and Landau

Victor Shabetai, Appellant, v. The Attorney General, Respondent (Cr. A. 144/56).

Contractor Must Obtain Building Permit

The Supreme Court in a majority decision dismissed an appeal against a judgment of the Tel Aviv District Court sitting as a court of appeal (Cr. A. 29/56).

The appellant, Victor Shabetai, acting as a contractor, had erected a building of which he is the owner and in the process carried out work for which a permit is required under the Town Planning Ordinance, 1928, without such a permit. He was fined IL400 by the District Court and the appeal was dismissed.

This extra imposition was based on Section 35 (5) of the Ordinance which states that, if a court finds a person guilty of contravening any provision of the Ordinance, it shall, in addition to any penalty imposed, order such person to pay the costs of the proceedings in which the charge was brought, which costs shall be double the amount of any fine or costs which would have been payable if such person had been granted a permit. Shabetai appealed to the Tel Aviv District Court and his appeal was dismissed. He then appealed to the Supreme Court.

Mr. Ben-Yehuda appeared for the appellant and Miss Kohnstamm, Assistant to the State Attorney, for the respondent.

Judgment

Justice Landau, in his majority judgment, Justice Sussman concurring, said that the main argument proffered by the appellant was that only the owner of a building is in duty bound to procure a permit for carrying out work on his property, that the fees for this permit were payable by the owner only, and that therefore only the owner could be ordered to pay double the fee, within the meaning of Section 35(5).

The appellant's premise, he said, is false, since the Ordinance, in the language of Section 11(b) of the Ordinance, which provides that no building shall be erected without a permit from the Local Town Planning Commission — that the legislator had acted on the presumption that it is the builder who usually obtains the permit, since the work for which a permit is required is structural work.

Justice Landau then referred to the municipal by-laws on permits and town planning made in 1937 and to the Town Planning (Permits) Rules, 1923, in order to confirm his opinion that the person who obtains the permit is the builder (which includes the contractor).

Having established that the contractor may obtain a building permit, he then went on to hold that he (amongst others) not only may but should obtain the permit, basing this conclusion on the fact that Section 35(1) of the Ordinance provides that "any person who carries out work for which a permit is required without having obtained such permit" is guilty of an offence, and Section 35(9), which defines a "person who carries out work" as including "the owner, architect, builder and contractor."

In other words, Justice Landau said, the contractor who does not obtain a permit is guilty of an offence, which means that a contractor "who should have obtained the permit" within the meaning of Section 35(5) is therefore, the payment of the double fee could have been imposed on the appellant, who had acted as contractor for his sister.

Minority Judgment

Justice Agranat, in dissenting from his colleagues, said that in his opinion Section 35(5) is based on two presumptions: firstly, that the

person who should have obtained the permit is the person who should have paid the fee for the permit; and, secondly, that only one person (or one class of persons) is in duty bound to obtain a permit.

The problem before the court, therefore, is limited to the solution of the question as to who that particular person is.

He then analysed in detail the relevant sections in the Town Planning Ordinance in order to make his point that only one class of persons is in duty bound to obtain a permit. He pointed out that the person who carries out work "includes all persons who participated in the erection of a building for which a permit is required, even though the duty of obtaining a permit was not necessarily theirs personally. Any of such persons would be guilty of an infringement of the Ordinance if they carried out work for which a permit had been obtained, but they would not each, personally, be responsible for obtaining the permit. In addition, it was hardly likely that the legislator had intended giving the courts the power to impose a double fee on each and every one of the persons who carry out the work" within the definition in section 35(9).

Justice Agranat then discussed the question of who this one person (or class of persons) is who is required by the Ordinance to obtain the permit, and concluded that the owner of the building is that person. He defined the owner as being that person who is about to erect a building for himself, whether he himself carries out the actual work or whether the agent or contractor, or the owner of the building, and only the owner, must pay double the amount of any fee payable for a permit for carrying out work on his property, that the fees for this permit were payable by the owner only, and that therefore only the owner could be ordered to pay double the fee, within the meaning of Section 35(5).

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Appeal dismissed by majority decision.

Judgment given on December 31, 1956.

MADRID PAPER RENEWS GIBRALTAR DEMAND

MADRID, Saturday (Reuters). — The Roman Catholic newspaper "Ya" today urged Britain to return Gibraltar to Spain. It was referring to the raising of the Gibraltar question by Spain this week in a U.N. Committee.

By this time, the pilgrims had spent all their money and had to be taken by police van to the YMCA to spend the night.

Some of the pilgrims complained that they had come on Thursday, a day in advance, through a misunderstanding with the Military Governor of Nazareth.

Tours: — Hebrew University conducted tour, Call 077.

Lectures: — "The Messiah as a Bible Commentator," by D. Rabin, Beit Hahatsoth, Rehovot, 8 p.m.

The Spread and Development of Buddhism — by Moshe Spitzer, Beit Chok, 8 Alhazrat, 8.30.

Film: — Battleship Potemkin, by Eisenstein, Beit Hahatsoth, Rehovot, 7.30. Special showing for members at 8.15.

Club Ha'Am: — Civic Education Group under the guidance of Mr. M. Weiss, 7 p.m. Geography Group under the guidance of Mr. E. Ben-Elihu, 8 p.m.

TEL AVIV: — Italian Specialities, Lunch, Dinner, Soup & Vegetables, Lady's Bar, 2 Allenby Rd., Tel. 2772.

Relax in elegant atmosphere with cop of Empress, at "Roma," 7 Rehov Yehuda.

1. Oil Paintings by Yusef Berber, 2. Drawings by Avira Uri, 3. Paintings and Sculptures by "The Ten Group," Tel Aviv Museum, 10-1, 4-7.

4. Master: — Jan van Eyck to mark the 5th anniversary of the Israel Museum, 8.30 p.m.

5. Lecture: — Menashe Ravina with original Hi-fidelity on Barak, E.O.A. House, 10-1, 4-7.

6. Theatre: — "The Ten Group," Tel Aviv Museum, 10-1, 4-7.

7. Theatre: — "The Ten Group," Tel Aviv Museum, 10-1, 4-7.

8. Theatre: — "The Ten Group," Tel Aviv Museum, 10-1, 4-7.

9. Theatre: — "The Ten Group," Tel Aviv Museum, 10-1, 4-7.

10. Theatre: — "The Ten Group," Tel Aviv Museum, 10-1, 4-7.

11. Theatre: — "The Ten Group," Tel Aviv Museum, 10-1, 4-7.

12. Theatre: — "The Ten Group," Tel Aviv Museum, 10-1, 4-7.

13. Theatre: — "The Ten Group," Tel Aviv Museum, 10-1, 4-7.

14. Theatre: — "The Ten Group," Tel Aviv Museum, 10-1, 4-7.

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Armenians Enter Jordan for X'mas

The Jerusalem Post Reporter

The Armenian pilgrims who crossed into Jordan at Mandelbaum Gate in Jerusalem on Friday to celebrate the Armenian Christmas, are reported to be returning this afternoon and evening.

Five hundred and ten adults crossed, and with their children accounted for 600 persons. Another 100 were turned back by the Jordanians at the last moment.

About 10 per cent of the pilgrims had to be vaccinated against smallpox at the Gate. Unlike former groups who crossed almost empty-handed and returned laden with packages, they took with them considerable quantities of food, especially fruit. Many also took suitcases of clothes since they are to spend 60 hours in Jordan, not the customary 24 hours. Mandelbaum Gate is closed on the Sabbath.

Among those entering Jordan were Archimandrite Pimen, Head of the Russian Orthodox Mission in Israel, about 50 other members of Greek Orthodox faith, as well as six Ethiopian Priests, to celebrate Epiphany.

Jordan Turns Down Pilgrims 3 Times

The Jerusalem Post Reporter

NAZARETH, Saturday. — Penniless and seething with anger, 55 of the Armenian and Arab Christian pilgrims who were to have crossed the Armistice Lines yesterday to celebrate Christmas in Jordan arrived here this evening after having been refused entry three times by the Jordan authorities. They included several old people and small children.

One of the pilgrims told The Jerusalem Post that the group had been refused permission to cross on Friday, had tried again, and again been refused. Finally, when the Jordan authorities told them that they would be allowed to cross, the Sabbath had intervened, and the pilgrims had to wait until this evening.

After firing the officials and getting back their papers, they returned to Mandelbaum Gate only to be rejected for the third time by the Jordanians on the grounds that it was too late to permit them to cross.

By this time, the pilgrims had spent all their money and had to be taken by police van to the YMCA to spend the night.

Some of the pilgrims complained that they had come on Thursday, a day in advance, through a misunderstanding with the Military Governor of Nazareth.

Tours: — Hebrew University conducted tour, Call 077.

Lectures: — "The Messiah as a Bible Commentator," by D. Rabin, Beit Hahatsoth, Rehovot, 8 p.m.

The Spread and Development of Buddhism — by Moshe Spitzer, Beit Chok, 8 Alhazrat, 8.30.

Film: — Battleship Potemkin, by Eisenstein, Beit Hahatsoth, Rehovot, 7.30. Special showing for members at 8.15.

Club Ha'Am: — Civic Education Group under the guidance of Mr. M. Weiss, 7 p.m. Geography Group under the guidance of Mr. E. Ben-Elihu, 8 p.m.

TEL AVIV: — Italian Specialities, Lunch, Dinner, Soup & Vegetables, Lady's Bar, 2 Allenby Rd., Tel. 2772.

Relax in elegant atmosphere with cop of Empress, at "Roma," 7 Rehov Yehuda.

1. Oil Paintings by Yusef Berber, 2. Drawings by Avira Uri, 3. Paintings and Sculptures by "The Ten Group," Tel Aviv Museum, 10-1, 4-7.

4. Master: — Jan van Eyck to mark the 5th anniversary of the Israel Museum, 8.30 p.m.

5. Lecture: — Menashe Ravina with original Hi-fidelity on Barak, E.O.A. House, 10-1, 4-7.

6. Theatre: — "The Ten Group," Tel Aviv Museum, 10-1, 4-7.

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Haifa-Cyprus Flights Resume in Two Weeks

HAIFA, Saturday. — The weekly Cyprus Airways flight from Haifa airport to Cyprus will be resumed at the end of the month, the manager of Peltours, Mr. Y. Greenbaum, has announced.

The flights were stopped last October, Mr. Greenbaum stated, when the company's Dakota will arrive from Nicosia on January 30, and will leave the next day at 10 a.m. Subsequently the plane will leave at the same time every Thursday morning. From Cyprus passengers will be able to carry on a Viscount plane to Athens, Munich and London.

Industrialists will also be able to use the service for air freight shipments to and from all parts of the world, saving the trouble of clearing the goods through Lydda. Mr. Greenbaum said Cyprus Airways will also continue its twice weekly flights from Lydda.

In reply, Mrs. Lindheim said, "Those of us who live in Israel enjoy one of the greatest privileges in the world... We are in contact with the very dynamics of life — being given life and giving it." She commented on the lack of Zionist education towards participation in Israel's new civilization.

Cinemas

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Labour Agitators In Barcelona Arrested

MADRID, Saturday (Reuter). — Police were today reported to have arrested a number of people alleged to be planning a general strike in Barcelona next Monday.

According to authoritative sources, those arrested yesterday were Communists and others planning also to per-

In Barcelona, where the boycott of trams over fare increases entered its sixth day today, the authorities have the situation "well in hand," the sources said.

TRAMP FINDS KIDNAPPED BABY

ASHIKELON, Saturday. — A tramp looking for a place to sleep last Thursday night, at midnight found a seven-month-old baby, Frieda Wald, who had been taken from her pram a few hours earlier.

The girl was found missing from her perambulator in the centre of the town, 400 metres from the place where she was discovered. The tramp found the infant in the car park where he habitually looks for a place to sleep.

A woman, reported to be mentally unbalanced, has been arrested on suspicion of

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GRIMANI
m. on February 3, 1957,
February 4, at 8 p.m.
as, Naples, Genoa.

ssapia
m. on February 10, 1957,
February 11, at 8 p.m. for
art, Venice, Trieste.

GRIMANI
 m. on February 3, 1967,
 February 4, at 8 p.m.
 ss. Naples, Genoa.

Assapia
 m. on February 10, 1967,
 February 11, at 8 p.m. for
 art. Venice, Trieste.
 passengers and cargoes to
 India — South Africa, etc.
 Genoa or Trieste on the

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Boulevard, Yerevan Street,
Bookshop, 36 Ruben Karap
yat House.
Ar. Al Rehov Hnik
Al Rehov Horat
through all recognized agencies

Advertisements
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 Phone (North Street Shop)
 60 Central Avenue, 1 Elmore
 100 Broadway, 10th St. North
 100 Broadway, 26 Reber Court
 1st Bldg.
 at 81 Reber House
 100 Broadway
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 WANTED cook (female) for private household. Apply: "Ruth" Employment Agency, 3 Reber Court, 1st Bldg.

Situations Vacant

WANTED cook (female) for private household. Apply: "Roth" Employment Agency, 2 Rehov Yarnok, Tel Aviv, Tel. 3672.

Situations Wanted

BABY aker - reliable person, speaking Hebrew, English, German - for 2 hours a day, 3 times a week. Write: N.A. c/o Naphtali's Music Shop, 3 Rehov Ben Yehuda, Jerusalem.

EXCELLENT housekeeper-cook.

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WANTED cook (female) for private household. Apply: "Ruth" Employment Agency, 3 Behov Yavneh, Tel Aviv, Tel. 2673.

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BABY sitter—reliable person, speaking Hebrew, English, German and French, available 8 hours per week. Write: N.A. c/o Nishit's Music Shop, 3 Behov Ben Zvi, Tel Aviv.

EXCELLENT housekeeper-cook, speaks English, willing to live in. No. 20990, P.O.R. 1135, Tel Aviv.

EXPERIENCED independent electrician and framer, correspondence (female), English shorthand, working knowledge of Russian, Tel Aviv.

EXPERIENCED Independent English and French correspondent (female), English shorthand, working knowledge of Hebrew and Hebrew typing. Please put time for Andy's "Correspondent," P.O.B. 80, Tel Aviv.

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Would like to change position. Please write: No. 29516, P.O.B. 80, Haifa.

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EXPERIENCED independent English and French correspondent (female), English short-term, French long-term, fluent in Hebrew and Hebrew typing, media part time job. Apply "Correspondent," P.O.B. 80, Tel Aviv.

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